UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,232	05/21/2001	Greg Arnold	PALM-3649.US.P	9948

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EXAMINER
SHIN, KYUNG H

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 08 November 2004.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-24 is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-24 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 21 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All   b) ☐ Some * c) ☐ None of:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responding to amendment on 11/8/2004.

2.   Claims **1 - 24** are pending. Independent Claims are **1, 12 and 21.**

Response to Arguments

3.   Applicant's arguments filed 11/8/2004, with respect to the rejection(s)of claim(s)

1-24 under *Servinis* have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of

rejection is made in view of **Multer et al.**

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5. This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

various claims was commonly owned at the time any inventions covered therein were

made absent any evidence to the contrary. Applicant is advised of the obligation under

37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

6.   Claims 1 - 24 are rejected under 35 U.S.C. 102(e) as being anticipated by

Multer et al. (US Patent No. 6,757,696).

Regarding Claim 1, Multer discloses a method of transferring information comprising

the steps of:

   a) a first handheld device (see col. 4, lines 27-34: handheld device utilized) causing

      an account (see col. 32, lines 53-55: account information) to be accessed that is

      stored on a remote server, said account reserved for a second handheld device

      and describing a complement of information stored in said second handheld

      device; (see col. 34, lines 16-19; col. 31, lines 58-62; col. 16, lines 50-50: user

      accounting information for each user stored on)

   b) said account modified to identify an information that resides on said remote

      server but not on said second handheld device; (see col. 17, lines 15-20; col. 32,

      lines 14-17: user accounting information for particular user updated and stored

      on server)

    c) said second handheld device establishing a connection with said remote server;

       (see col. 5, lines 10-17; col. 6, lines 16-20: handheld device communications

       between server and handheld device through connection) and

    d) said remote server automatically determining, from said account, that said

       information is new to said second handheld device and in response thereto for

       automatically downloading said information to said second handheld device. (see

       col. 34, lines 23-29: user information updated (i.e. new information))

Regarding Claim 2, Multer discloses a method as described in Claim 1 further

comprising the step of said first handheld sending said remote server a token identifying

said information and said second handheld and wherein said token causes said account

to be modified by said remote server. (see col. 37, lines 62-65: data pack (i.e. token)

used for information transfer utilized for update)

Regarding Claims 3, 14, Multer discloses a method as described in Claims 1, 12

wherein said first and said second or said sender and said receiver handheld devices

are handheld computer systems. (see col. 4, lines 27-36: two devices (i.e. handheld

devices) in communication)

Regarding Claims 4, 15, 23, Multer discloses a method as described in Claims 1, 12,

21 wherein said information is a version of an application program. (see col. 12, lines

10-12; col. 12, lines 16-20; col. 13, lines 3-7: version information processed)

Regarding Claims 5, 16, 24, Multer discloses a method as described in Claims 4, 15,

21 wherein said account comprises an application version record table comprising an

entry for each application stored in said second handheld device and wherein each

entry comprises: an application identifier; a version identifier; and a user identifier. (see

col. 38, lines 3-5 col. 38, lines 8-15; col. 38, lines 55-59: identifiers utilized to designate

contents within table entries)

Regarding Claim 6, Multer discloses a method as described in Claim 1 wherein said

step of automatically downloading said information to said second handheld device, of

step d), is performed only if said first handheld device has authority to download to said

second handheld device. (see col. 33, lines 13-17; col. 34, lines 23-29; col. 5, lines 17-

21: authentication for device based on account information, download information)

Regarding Claims 7, 18, Multer discloses a method as described in Claims 6, 17

wherein said authority is established via an express grant of permission from said

second handheld device to said first handheld device. (see col. 34, lines 16-19:

authorization for device based on account information)

Regarding Claims 8, 19, Multer discloses a method as described in Claims 6, 17

wherein said authority is established via a user confirmation that is made in response to

a user message displayed on a display screen of said second handheld device. (see

col. 12, lines 29-36; col. 32, lines 23-28: user interface)

Regarding Claims 9, 20, Multer discloses a method as described in Claims 1, 12

wherein said remote server is a web based server. (see col. 31, lines 21-23: web based

(i.e. HTTP) server)

Regarding Claim 10, Multer disclose a method as described in Claim 1 wherein said

step d) is performed within a synchronization process between a remote server and said

second handheld device. (see col. 7, lines 58-64; col. 14, lines 18-19: synchronization

process for information within server and handheld device)

Regarding Claim 11, Multer disclose a method as described in Claim 1 wherein said

step d) is performed within a synchronization process between a host computer system

and said second handheld device. (see col. 7, lines 58-64; col. 14, lines 18-19:

synchronization process for information in server and two devices (i.e. host system and

handheld device))

Regarding Claim 12, Multer discloses a system comprising:

    a) a receiver handheld device; (see col. 4, lines 25-36; col. 5, lines 17-21: receiver

        system (i.e. handheld device))

    b) a remote server containing an account reserved for said receiver handheld device which describes a complement of information stored in said receiver handheld device; (see col. 17, lines 15-20; col. 32, l;ines 14-17; col. 16, lines 50-50: server management system for user accounting information)

    c) a sender handheld device for causing said account to be modified to identify an information that resides on said remote server but not on said second handheld device; (see col. 33, lines 13-17: update information within server system)

    d) wherein said receiver handheld device is for establishing a connection with said remote server; (see col. 5, lines 10-17; col. 8, lines 16-19: handheld device communicating through connection between server and handheld device) and

    e) wherein said remote server is for automatically determining, from said account, that said information is new to said receiver handheld device and automatically for downloading said information to said receiver handheld device. (see col. 34, lines 23-29: user information updated (i.e. new information))

Regarding Claim 13, Multer discloses a system as described in Claim 12 wherein said sender handheld is for sending said remote server a token identifying both said information and said receiver handheld and wherein said token causes said remote server to modify said account. (see col. 5, lines 17-21; col. 6, lines 16-20; col. 37, lines 62-65: data pack (i.e. token) utilized to modify user information)

Regarding Claim 17, Multer discloses a system as described in Claim 12 wherein said remote server is also for determining if said sender handheld device has authority to download to said receiver handheld device as a precursor to downloading said information to said receiver handheld device. (see col. 4, lines 25-36; col. 6, lines 16-20: authorization for device, download information to device)

Regarding Claim 21, Multer discloses a system comprising:

a) a receiver handheld computer; (see col. 4, lines 25-36; col. 5, lines 17-21: receiver system (i.e. handheld device))

b) a web based server containing an account reserved for said receiver handheld computer which describes a complement of information stored in said receiver handheld computer; (see col. 31, lines 21-23: web based (i.e. HTTP) server)

c) a sender handheld computer for causing said account to be modified to identify an information that resides on said web based server but not on said receiver handheld computer; (see col. 17, lines 15-20: update accounting information managed within management (i.e. web based)server)

d) wherein said receiver handheld computer is for establishing a connection with said web based server; (see col. 5, lines 10-17; col. 6, lines 16-20: handheld device communicating through connection between server and handheld device) and

e) wherein said web based server automatically determines, from said account, that said information is new to said receiver handheld computer, also determines if

said sender handheld computer has authority to download to said receiver

handheld computer, and, if so, automatically downloads said information to said

receiver handheld computer. (see col. 34, lines 23-29: update user information

(i.e. new information))

Regarding Claim 22, Multer discloses a system as described in Claim 21 wherein said

sender handheld is for sending said remote server a token identifying both said

information and said receiver handheld and wherein said token causes said web based

server to modify said account. (see col. 17, lines 15-20; col. 37, lines 62-65: data pack

(i.e. token) used to manage user accounting information within management server (i.e.

remote server))

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-

3920. The examiner can normally be reached on 9 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KHS
Kyung H Shin
Patent Examiner
Art Unit 2143

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Apr 15, 2005

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